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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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IN RE APPLICATION OF :
TOM TSANG, ET AL. : EXAMINER: PRIEBE, S.
SERIAL NO: 09/185,243 :
FILED: NOVEMBER 3, 1998 : GROUP ART UNIT: 1632
FOR: HYPERTHERMIC INDUCIBLE :
EXPRESSION VECTORS FOR
GENE THERAPY AND METHODS
OF USE THEREOF

AMENDMENT & REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action mailed November 4, 2002, Applicants respectfully request reconsideration in light of the following amendments and remarks.

IN THE CLAIMS

Please cancel Claims 1, 5, 9-18, 20-26, 33, 35-39 and 43-47 and add the following

claims:

48. (New) An expression construct comprising in a 5' to 3' orientation:

(A) an HIV-2 promoter sequence operably linked to a selected polynucleotide; and

(B) an inducible promoter sequence operably linked to a transactivating factor, which binds to and activates said HIV-2 promoter.

49. (New) The expression construct of Claim 48, wherein said transactivating factor is the HIV-tat transactivating factor.